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Sheriff Robert Luna, Andrew Palencia,  
7 Brian Pineda, Sergio Palacios, and Clayton Stelter

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

10  
11 KORRELL SANTANA COLE,

12 Plaintiff,

13 vs.

14 LOS ANGELES COUNTY, et al.,

15 Defendants.  
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Case No. 2:23-cv-10392-SB-PD

Honorable Stanley Blumenfeld, Jr.

**DECLARATION OF PAUL B.  
BEACH IN SUPPORT OF  
DEFENDANTS' *EX PARTE*  
APPLICATION FOR ORDER  
MODIFYING CASE  
MANAGEMENT ORDER**

*[Ex Parte Application, Declaration of  
Shawyane Emadi, and [Proposed]  
Order lodged concurrently herewith]*

**DECLARATION OF PAUL B. BEACH**

I, Paul B. Beach, declare as follows:

1. I am an attorney at law, duly authorized to practice before this Court and I am the managing shareholder of the law firm Lawrence Beach Allen & Choi, PC, attorneys of record for Defendants Sheriff Robert Luna, Andrew Palencia, Brian Pineda, Sergio Palacios, and Clayton Stelter (collectively, “Defendants”) in the above-entitled action. I have personal knowledge of the facts stated herein, except those stated upon information and belief as to those matters, I believe them to be true. If called to testify to the matters herein, I could and would competently do so.

2. I submit this declaration in support of Defendants’ contemporaneously-filed EX PARTE APPLICATION FOR ORDER MODIFYING CASE MANAGEMENT ORDER (the “Application”).

3. Defendants served timely Rule 26 discovery disclosures upon Plaintiff, and in September 2024 also propounded full sets of written discovery upon Plaintiff.

4. On October 8, 2024, Defendants served a Notice of Deposition on Plaintiff’s counsel setting Plaintiff’s remote in-custody deposition for October 30, 2024, a true and correct copy of which is attached hereto as Exhibit A. Counsel for Plaintiff recently advised me that he would not agree to produce Plaintiff as noticed.

5. Also, instead of properly responding to Defendants’ written discovery, on October 16, 2024, Plaintiff’s counsel served a two-page omnibus response (objections only) to Defendants’ Interrogatories, Requests for Production of Documents, and Requests for Admissions (Set #1), a true and correct copy of which is attached hereto as Exhibit B. No substantive responses were provided.

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1           6.     On October 22, 2024, Defendants served a meet and confer letter to  
2 Plaintiff's counsel regarding Plaintiff's deficient responses to Defendants'  
3 Interrogatories, Requests for Production of Documents, and Requests for  
4 Admissions (Set #1) and requesting an in person meeting to confer further.  
5 Attached hereto as Exhibit C is a true and correct copy of Defendants' October 22,  
6 2024 meet and confer letter. Plaintiff's counsel never appeared for the meeting as  
7 requested and to date has not responded to Defendants' meet and confer efforts.

8           7.     On October 25, 2024, Defendants served a First Amended Notice of  
9 Deposition on Plaintiff's counsel, setting Plaintiff's remote in-custody deposition  
10 for November 13, 2024, a true and correct copy of which is attached hereto as  
11 Exhibit D.

12           8.     On October 28, 2024, Plaintiff's counsel served objections to  
13 Defendants' Notice of Deposition of Plaintiff, a true and correct copy of which is  
14 attached hereto as Exhibit E.

15           9.     On November 1, 2024, Plaintiff's counsel served objections to  
16 Defendants' Second Notice of Deposition of Plaintiff, a true and correct copy of  
17 which is attached hereto as Exhibit F.

18           10.    On November 1, 2024, Defendants requested an IDC before Magistrate  
19 Judge Patricia Donahue regarding Plaintiff's deficient responses to Defendants'  
20 written discovery and Plaintiff's in custody deposition. Today, the Court set the  
21 IDC for November 8, 2024. Attached hereto as Exhibit G, is a true and correct  
22 copy of Defendants' Request for an IDC.

23           11.    On November 1, 2024, in order to compel Plaintiff's appearance at his  
24 deposition and compliance with his written discovery obligations, I sent counsel for  
25 Plaintiff further correspondence. A true and correct copy of which is attached  
26 hereto as Exhibit H.

27           12.    In the meantime, Plaintiff's Second Amended Complaint (filed after  
28 two successful motions by Defendants) was only served on Friday of last week.

1 Thus, under the current schedule, Defendants must prepare their summary judgment  
2 papers before they have Plaintiff's deposition, any written discovery responses from  
3 Plaintiff, and before the sufficiency of the pleadings are determined.

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5 I declare under penalty of perjury under the laws of the State of California  
6 that the foregoing is true and correct.

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8 Executed on November 5, 2024 at Pasadena, California

9  
10 /s/ Paul B. Beach  
11 Paul B. Beach